



LOUISIANA DEPARTMENT OF INSURANCE
JAMES J. DONELON, COMMISSIONER

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BULLETIN NO. 06-03

To: All Insurers Delivering or Issuing Long-Term Care Policies,
Certificates, or Riders

From: James J. Donelon, Commissioner

Re: Acts 2004, No. 780 of the Regular Session of the Louisiana Legislature
and Regulation 46, Long-Term Care Insurance

Date: September 5, 2006

There have been recent changes to Louisiana's long-term care insurance laws through the passage of Act 780¹ of the 2004 Regular Session of the Louisiana Legislature and the promulgation of Regulation 46 pertaining to long-term care insurance.


It has been brought to the attention of the Department of Insurance that clarification is needed regarding the applicability and scope of the renewal provision found in LSA-R.S. 22:1732 and Regulation 46. Therefore, Bulletin 06-03 is to provide insurers with guidance regarding the administration of this provision as it relates to long-term care insurance policies.

The renewal provision primarily affects the area relative to nonforfeiture benefits. Specifically, if a premium rate increase occurs, insurers must offer such policyholders a contingent nonforfeiture option and provide notification in accordance with the provisions outlined in Section 1949 of Regulation 46 (as amended February 20, 2005). A sample of the notification detailing options available to the policyholder need only be sent to the Department of Insurance if the insurer is requesting a premium rate increase. This sample must be submitted to the Department of Insurance at the time of the request. Additionally, insurers are now required to apply an incontestability period to any long-term care policy, certificate, or rider that was sold or issued on or after January 1, 2005.

¹ Acts 2004, No. 780 amended and reenacted R.S. 22:1732, 1734 (introductory paragraph), (2), and (5), and 1735 through 1737 and enacted R.S. 22:1734(7) and 1738 through 1741.

As a result of the changes made to the long-term care insurance laws, the Department of Insurance urges insurers to review their existing policies or contracts of insurance and make necessary changes to ensure full compliance with applicable laws. Direct any questions regarding this bulletin or the revised regulation to Ms. Beth O'Quin, Assistant Director of Life and Annuity Policy Forms, at 225-342-6990 or by e-mail at boquin@ldi.state.la.us.

Baton Rouge, Louisiana this 5th day of September 2006.



JAMES J. DONELON
COMMISSIONER OF INSURANCE